

01-05-05

2612

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/994,024-Conf. #1178	
	Filing Date	November 14, 2001	
	First Named Inventor	Hiroyuki Tadano	
	Art Unit	2612	
	Examiner Name	Not Yet Assigned	
Total Number of Pages in This Submission	5 (excluding references)	Attorney Docket Number	56,692 (70904)

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Form PTO/SB/08a/b (with 6 references); 2. Copy of Japanese Office Action (3 pgs.) (with English translation attached (7 pgs)); and a 3. Return Receipt Postcard.
<b>Remarks</b>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	EDWARDS & ANGELL, LLP		
Signature			
Printed name	George W. Hartnell, III		
Date	January 3, 2005	Reg. No.	42,639



Docket No.: 56,692(70904)  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Hiroyuki Tadano et al.

Application No.: 09/994,024

Confirmation No.: 1178

Filed: November 14, 2001

Art Unit: 2612

For: ABERRATION DETECTION DEVICE,  
ABERRATION DETECTION METHOD,  
AND OPTICAL PICK-UP DEVICE

Examiner: Not Yet Assigned

**INFORMATION DISCLOSURE STATEMENT (IDS)**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

An English abstract is provided for non-English language references BC, BD, and BE. An international patent application in English (Reference BH) is provided in translation of non-English reference BF.

Also provided are copies of a Notice of Reasons of Refusal dated December 1, 2004 from the Japan Patent Office for the corresponding Japanese application number 2000-348679 and an English translation thereof. The Notice of Reasons of Refusal purportedly provides the relevance of the references.

A copy of only those references listed below is attached:

For. Doc No.	Ctry	Patentee/Applicant	Publication Date
2000-171346	JP	SHARP CORP	June 23, 2000
2001-229566	JP	VICTOR CO OF JAPAN	August 24, 2001
10-208280	JP	MATSUSHITA ELEC IND	August 7, 1998
10-500526	JP	PHILIPS ELEC NV	January 13, 1998
WO 02/21520	PCT	HITACHI LTD	March 14, 2002
WO 96/28816	PCT	PHILIPS ELEC NV	September 19, 1996

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105, under Order No. 56,692(70904).

Dated: January 3, 2005

Respectfully submitted,

By

George W. Hartnell, III

Registration No.: 42,639

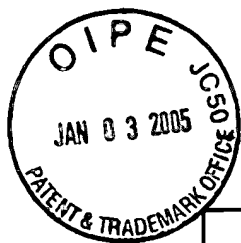
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Attorney for Applicant



PTO/SB/08a/b (08-03)

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Substitute for form 1449A/B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	09/994,024-Conf. #1178
				Filing Date	November 14, 2001
				First Named Inventor	Hiroyuki Tadano
				Art Unit	2612
				Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	56692(70904)

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
	BC	JP-2000-171346	06-23-2000	SHARP CORP		*
	BD	JP-2001-229566	08-24-2001	VICTOR CO OF JAPAN LTD		*
	BE	JP-10-208280	08-07-1998	MATSUSHITA ELECTRIC IND CO LTD		*
	BF	JP-10-500526	01-13-1998	PHILIPS ELEC. NV		**
	BG	WO-WO 02/21520 A1	03-14-2002	HITACHI LTD.		
	BH	WO-WO 96/28816	09-19-1996	PHILIPS ELEC. NV		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached. \* Abstract only. \*\* English Translation provided in Reference BH.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author ( in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>

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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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Application No. (if known): 09/994,024

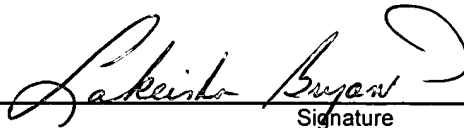
Attorney Docket No.: 56,692 (70904)

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